

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

EAST PHILLIPS NEIGHBORHOOD
EDWARD HENDERSON

Plaintiff(s),

vs.

CITY OF MINNEAPOLIS

20-cv-1648 ECT/KMM

Case No. _____
(To be assigned by Clerk of District Court)

DEMAND FOR JURY TRIAL

YES _____ NO ☒

Defendant(s).

(Enter the full name(s) of ALL defendants in
this lawsuit. Please attach additional sheets
if necessary).

COMPLAINT

PARTIES

1. List your name, address and telephone number. Do the same for any additional plaintiffs.

a. Plaintiff EAST PHILLIPS NEIGHBORHOOD

Name EDWARD HENDERSON

Street Address 2512 1874 AVE S

County, City HENNING, MINNEAPOLIS

State & Zip Code MN 55404

Telephone Number 612 940 3791

2. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption.

a. Defendant No. 1

Name *CITY OF MINNEAPOLIS*
Street Address *350 SE 14 ST*
County, City *HENNEPIN, MINNEAPOLIS*
State & Zip Code *MN, 55415*

b. Defendant No. 2

Name
Street Address
County, City
State & Zip Code

c. Defendant No. 3

Name
Street Address
County, City
State & Zip Code

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.

Check here if additional sheets of paper are attached: ☐

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.d., 2.e., etc.)

JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case.

3. What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal Question

☐ Diversity of Citizenship

4. If the basis for jurisdiction is Federal Question, which Federal Constitutional, statutory or treaty right is at issue? List all that apply. *14TH AMENDMENT EQUAL PROTECTION*

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff Name:

State of Citizenship:

Defendant No. 1:

State of Citizenship:

Defendant No. 2:

State of Citizenship:

Attach additional sheets of paper as necessary and label this information as paragraph 5.

Check here if additional sheets of paper are attached. ☐

6. What is the basis for venue in the District of Minnesota? (*check all that apply*)

☒ Defendant(s) reside in Minnesota

☒ Facts alleged below primarily occurred in Minnesota

☒ Other: explain

THE FEDERAL DISTRICT COURT HAS JURISDICTION OVER FEDERAL LAW

STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Each paragraph must be numbered

separately, beginning with number 7. Please write each single set of circumstances in a separately numbered paragraph.

7. SEE ATTACHED

Attach additional sheets of paper as necessary.

Check here if additional sheets of paper are attached: ☒

Please label the attached sheets of paper to as Additional Facts and continue to number the paragraphs consecutively.

REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

SEE ATTACHED

7) The City Of Minneapolis is not offering equal protections in it's distribution of services and funding to its low wealth neighborhoods. This case will focus on the East Phillips neighborhood, more specifically the 18th ave S and E25th and 26th streets but shall not be limited to examples solely there of. We are currently canvassing our neighbors and community to find out more than just our plight with the City of Minneapolis and will be putting forward our findings to this Court when we reach the evidentiary stage of this trial.

(Short List of Examples)

8) pre riot shootings in Cedar Field were an issue. Police response times were in the range of 1 ½ hrs to never. (Scott Clavers of Appleton WI can attest to this as well as members of our community) I only saw police do a proper investigation once, it was revealed to Kelly Trius that the reason was because it was an officer involved shooting. We as a community have been told to call 311 instead of 911 when bullets fly. In that instance officers would not even pick up the casings left behind or do investigations. Officers stated "Why did you call us? Call 311 not 911" (Kitty Scholefield, Austin Williams, myself and others can substantiate) Police seem to not have any issues showing up to take vehicles without tabs in a timely manner. They also have no problem giving out tickets on snow emergency days in a timely manner. When it comes to fining residents of the community they are quite organized and efficient. But if the situation is dangerous they are not present.

9) The City's inspectors department also has no problem handing out fines. They are efficient and timely and creative when it comes to citations. I have a neighbor who had neatly stored their ladders for years and then City inspectors stated that they could not store them in their yard so now they are up on the side of his house because you are allowed to do work on your roof but not store ladders. I have another neighbor who the City inspectors tried to fine for having bikes on a bike rack outside they stated "Inside things must go inside. Outside things go outside." I didn't know one rides bicycles in their living room.

10) For all the snooping the City inspectors office does in our community they don't seem to notice the problems that concern the City itself. We are being fined currently for wood that I had cut down 2 days previous to the fine. That wood was from a tree that had grown through a power line that feeds a City street light. (see attached) To put this in perspective the city has fined us numerous times be it for parking a truck in our parking spot, having dirt instead of grass, threatening to take my tools for fixing my truck on my parking spot. The inspector stated that "You are not allowed to work on vehicles in minneapolis and if I catch you doing so again I will confiscate your tools"(Mark Trius can substantiate) but they haven't noticed that a tree had grown through their light or that 2 of 4 streetlights are out and have been out for years.

11) Little Earth and the community have petitioned the City for slow for children signs at Cedar Field for 10+ years to no avail, we were told that this would cost the community \$10,000.(weather or not these are the actual costs this is what we were told) When the community made signs for this purpose the City stated that we would be fined for hanging them around the community. The community post riot has installed planters to block off access to shooters and slow traffic on E26th street and 18th ave s.(see attached) As a community we have made a design that both works for the 2500 block of 18th ave s, in partnership with Little Earth Baby Space, those of us on night watch and the Church. This design costs the community \$10,000 and solves a majority of drug trafficking, shooting, prostitution and speeding issues we are having on our block.

12) There are many more issues at hand besides the ones mentioned here and we will be putting together testimonies of the above mentioned and new issues as we find and confirm them. We currently know that there is a pending case involving the City and Epic our neighborhood association about funds that were to be allotted to our neighborhood having to do with the City's misuse of tax allotments? We will provide case numbers and information that we gather as we receive it concerning that case as it is perinate.

14) We as a low wealth community are seeking to have this case be put forth as a class action lawsuit. That any resident that resided from 1990 until current be able to put their name on this suit. We define resident as an individual that resided in the east phillips neighborhood for a minimum of 1 year and filed taxes, government aid, or made/recieved child support (EBT, rental assistance, medical assistance, WIC) from a resident address within east phillips.

15) the ability to autonomously build collective design in our neighborhood . Allow barricades to stand till end of litigation especially those that don't block access to fire department, ambulance and city works.

15) We seek general damages for pain and suffering for individuals who have lost loved ones due to police neglect in their response times children lost due to lack of signage and the emotional stress of living without services to the east phillips neighborhood. The amount of these damages shall be decided by the Federal District Courts at their discretion.

16) We seek special money damages for fines to the neighborhood and believe the Federal District Courts can put a monetary amount on this after seeing the evidence.

17) We seek punitive damages so that this will not happen again and leave this to the courts discretion.

18) we seek the ability to amend this complaint once we obtain counsel.

19) and whatever the court may deem equitable for the East Phillips neighborhood.







Signed this

day of

7/27/2020

Signature of Plaintiff



Mailing Address

2512 18TH AVE S
MINNEAPOLIS MN, 55404

Telephone Number

612 940 3791

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide his/her mailing address and telephone number. Attach additional sheets of paper as necessary.